

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARTY TOGBASI,	:	CIVIL ACTION NO. 1:20-CV-1030
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
ANGELA HOOVER, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 22nd day of September, 2020, upon consideration of the report (Doc. 6) of Magistrate Martin C. Carlson, recommending that we dismiss the above-captioned action for failure to comply with court orders under Federal Rule of Civil Procedure 41(b), see FED. R. CIV. P. 41(b), specifically citing plaintiff's failure to comply with the court's direction to file a proper complaint and motion for leave to proceed *in forma pauperis*, (see Doc. 6; see also Docs. 4, 5), and it appearing that plaintiff has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that the failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford "reasoned consideration" to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of

the record, the court being in agreement with Judge Carlson's analysis and recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 6) of Magistrate Judge Carlson is ADOPTED.
2. This case is DISMISSED pursuant to Federal Rule of Civil Procedure 41(b). See FED. R. CIV. P. 41(b).
3. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).
4. The Clerk of Court shall close this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania